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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/064,477 Confirmation No.: 9683

Applicant(s): Fano, Andrew E. Examiner: None

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Title: Media Indexing Beacon and Capture Device

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

NOTICE OF APPEAL UNDER 37 C.F.R § 41.31

Sir:

The Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner in the subject application, specifically the Final Office Action mailed December 12th, 2007.

Respectfully submitted,

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